

MILFORD PLANNING BOARD PUBLIC HEARING
November 19, 2013 Board of Selectmen's Meeting Room, 6:30 PM

Present:

Members:

Janet Langdell, Chairperson
Paul Amato
Kathy Bauer
Steve Duncanson
Tom Sloan
Susan Robinson, Alternate member

Staff:

Jodie Levandowski, Town Planner
Shirley Wilson, Recording Secretary
Zach Steinbrecher, Videographer

Excused:

Chris Beer

MINUTES:

1. Approval of minutes from the 9/17/13 and 10/15/13 meetings.

NEW BUSINESS:

2. **Carlos Andrade dba Dunkin Donuts – 764 Elm St – Map 12, Lot 13;** Public Hearing for a major site plan for site improvements to include access reconfiguration, extension of the drive-thru lane and parking lot expansion. *New application – Meridian Land Services, Inc.*
3. **Carol Colburn – Osgood Rd & Woodhawk Dr – Map 51, Lot 1;** Public Hearing for a major open space subdivision creating twenty-seven (27) new residential lots. Original design review was held on 2/20/2007. *New application – Meridian Land Services, Inc*

OLD BUSINESS:

4. **St. Joseph Hospital – Nashua St – Map 31, Lot 32; Design review of a new medical building with associated site improvements.**
Tabled from the 10/15/13 meeting

Chairperson Langdell called the meeting to order at 6:30PM. She then explained the process for the public hearing, introduced the Board and Staff, and read the agenda.

MINUTES:

K. Bauer and J. Langdell submitted corrections for both sets of minutes. S. Duncanson made a motion to approve the minutes from the 9/17/13 meeting, as amended. P. Amato seconded and all in favor. S. Duncanson made a motion to approve the minutes from the 10/15/13 meeting, as amended. P. Amato seconded, T. Sloan abstained and all else voted in favor.

NEW BUSINESS:

Carlos Andrade dba Dunkin Donuts – 764 Elm St – Map 12, Lot 13; Public Hearing for a major site plan for site improvements to include access reconfiguration, extension of the drive-thru lane and parking lot expansion.

Abutters present:

Gary Balcom, 776 Elm Street, LLC

Chairperson Langdell recognized:

Jay Heavisides, Meridian Land Services, Inc.

Kevin Andrade, Dunkin Donuts

J. Langdell noted that the application was complete, per the staff memo. S. Duncanson made a motion to accept the application. K. Bauer seconded and all in favor. T. Sloan made a motion that this application did not pose potential regional impact. P. Amato seconded and all in favor. S. Wilson read the abutters list into the record.

J. Heavisides presented plans dated 10/21/13 and explained the proposed site improvements. We were before the Board in August for a site plan for the water system shed and since then, the two lots have been merged. We are now proposing to remove the former schoolhouse, reconfigure the access to make the existing access exit only with dedicated left and right turn lanes and reduce and reconfigure the western driveway to be entrance only which will allow for longer stacking for the drive-thru, provide more parking and reduce traffic congestion at the entrance. The main intent is to provide more visibility and improve traffic flow on site. Another improvement will be to convert one of the existing parking spaces into an outdoor seating area. K. Andrade said it would consist of maybe two (2) tables with eight (8) seats total; customers like to enjoy their coffee outside in the summer.

J. Heavisides stated that there is currently a drainage issue in the northeast corner of the site where the existing sign and landscaping blocked the swale. The proposed improvements will relocate the sign and allow us to re-establish the swale around the building and move the landscaping. On the west side, the pavement actually crosses the property line, so we've contacted and received consent from the owner, to remove the pavement and re-grade the area. Overall we will be removing the pavement as shown, the old building, the dumpster pad and an old playground. We will then build a new parking area, add green space and install a sediment basin. He then explained the drainage flow as shown on the plans and said the proposed grades will maintain the drainage pattern. The seasonal water is high, just above the elevation of the wetlands, so we're using the sediment basin to get the sand and silt out but we're not using it as infiltration basin. For the larger storms the water will flow out and into the wetlands. Out front we will be removing some pavement and we've submitted application to the NH DOT. They are happy with that and have asked that we reduce the radius which this plan depicts. Landscaping will be planted along the property line near the sediment basin and in the islands. We received staff comments today regarding adding shrubs along the frontage and we have no problem dressing up that area. The lighting on the building will remain and we propose to replace the existing pole lights with two downcast pole lights which we feel will be sufficient to cover the entire parking area and there will be no bleed over into the adjacent property. We've applied for a Shoreland permit as this is within 250 ft of the river; however, this plan decreases the overall impervious area on the site.

J. Langdell inquired about utility lines. J. Heavisides said we will be bringing in power for the new water pump house and a new pole will be installed, but we are not sure if it will be under or above ground from there.

K. Bauer asked for clarification about the runoff on the western side into wetlands; would it be polluted from cars? J. Heavisides said currently it all flows straight back to the wetlands now and the proposed sediment basin will filter out the sand and silt for one and two year storms which will stay contained in the sediment basin. It will be vegetated so the plant roots will take up the pollutants.

P. Amato inquired if the old maple trees in front on the State property would stay. J. Heavisides replied that they were to be removed and discussion ensued. K. Andrade stated that they would try to save one of the trees, depending on the health and quality of the tree. J. Heavisides added that the ROW has to be green space.

J. Langdell read the interdepartmental memo from the Conservation Commission dated 11/18/13. J. Heavisides said there was no consideration to put in pervious pavement because there isn't enough depth with the seasonal water table. Pervious pavement is considered to go down 24"-26" so we would need to have an underdrain and then it has to go someplace. Overall we are reducing the amount of impervious surface area and a lot of it is in the State ROW and we're going down to a 24ft wide driveway. K. Andrade said that the parking lot gets pretty crazy from Friday through Sunday and this will make it safer for the customers. P. Amato noted that the referenced catch basin exists there now and has been since there since before we can remember. G. Balcom added that they are putting filters into that catch basin that weren't there before. They are doing a good job and it will not be going into the river unfiltered.

J. Langdell read the interdepartmental comments from the Heritage Commission dated 11/13/13 and asked if anyone had approached the applicant about relocating the old building. Gary Balcom stepped forward and stated that he and Mr. Andrade have had discussion regarding saving that building and possibly moving it onto his property next door. The structure is too big and too tall to move anywhere else. We have a short timeframe and still have to work out all the final details, but I have the means and way to move the building. Between the two of us and our two businesses, we can make this work. They are good neighbors and good to work with. I also understand that I may have to come back to the Board for the changes to my property. J. Langdell said bravo that is an excellent grass roots effort.

Chairperson Langdell opened the hearing to the public; there being no comments, the public portion of the meeting was closed.

J. Langdell reviewed the staff memo dated 11/19/13.

K. Andrade stated that landscaping is important so we will move forward with the recommendations. J. Langdell said your willingness to try to keep one of the trees out front, improving the access and adding the additional landscaping, captures some of the principals and redevelopment ideas of the West Elm Street Gateway guidelines.

J. Heavisides said Fred Elkind inquired about a NPDES permit and since we are only disturbing a little over 20,000SF, a permit is not required. T. Sloan mentioned that SoRLAC will review this plan on Thursday night.

P. Amato inquired if there has been any talk regarding the State's proposed improvements to 101. J. Levandowski replied that there have been no recent updates. G. Balcom added that the State is still in the process of gathering information to make their decision and it is not slated for several years.

P. Amato made a motion to grant approval of the application subject to the staff recommendations, in addition to the two items discussed; saving one of the trees in the State ROW and planting the additional landscaping. T. Sloan seconded and all in favor.

Carol Colburn – Osgood Rd & Woodhawk Dr – Map 51, Lot 1; Public Hearing for a major open space subdivision creating twenty-seven (27) new residential lots. Original design review was held on 2/20/2007.

Abutters present:

Cornelia Campbell Roy, Osgood Rd

Chairperson Langdell recognized:

Jay Heavisides, Meridian Land Services, Inc.

Carole and Steve Colburn, Owners

Penny Seaver, Bean, Seaver & Smith

Chairperson Langdell read the notice of hearing into the record and stated that the application was complete per the staff memo. P. Amato made a motion to accept the application. T. Sloan seconded and all in favor. S. Duncanson made a motion that this application did not pose potential regional impact. T. Sloan seconded and all in favor. S. Wilson read the abutters list into the record.

J. Heavisides presented plans dated 10/15/13 on behalf of Carole Colburn and reviewed the history of the project. This has been through design review in 2007 and approved for a thirty-two (32) lot open space subdivision. We had wetland approval, site specific approval and subdivision approval and then the economy tanked. There are twenty-seven (27) new lots remaining because we lost one (1) lot due to the reconfiguration of the area and currently there are four (4) lots. Three (3) of the houses are built with access off a shared driveway with a common easement where the proposed road was designed. We are proposing to extend this road and connect to Woodhawk Dr making a through connection to Badger Hill. There will also be a short dead-end road that we've designed for fire trucks to turn around, but the Fire Department has requested a cul-de-sac instead of the hammerhead shown on the plan which will have to be discussed. He reviewed the existing conditions of the property and explained how the two wetlands flow in different directions; both to the north and the south. Two wetland crossings are proposed and will include two 4x4 box culverts set 1ft into the ground for critter crossings. A 12" culvert will take care of the stormwater. To manage the stormwater, there are multiple detention basins and a treatment swale. The total open space for the two (2) lots is approximately 45 acres and will be adjacent to other Town owned open space and the Hitchiner Town Forest. The open space will connect the existing open spaces and legitimize the trail that comes through that area currently. We've been before the ZBA and received approval for 10,000Sf of wetland impact and 19,500Sf of buffer impact. We have resubmitted application to the Wetland Bureau for our expired wetlands permit and we've been notified that they received comments from abutters and I'm not sure where that is right now. There is also a request before the ZBA to rehear their decision to be heard later this week.

J. Langdell inquired about the management and ownership of the open space. S. Colburn said it would be open space and the property owners would not own that land. J. Langdell noted that DPW would like to have the plans sent out for engineering review relative to roadway, drainage and stormwater management, so that is probably something we should do. P. Amato said it makes complete sense for this particular development with this scope and these wetlands. S. Duncanson agreed with all. J. Heavisides said it is totally understandable for a development of this size. J. Levandowski noted that she requested an updated estimate from CEI, Inc. who provided an estimated cost back in 2007 of \$3,800.

P. Amato brought up the road location which is right along a property line. We have no representation from lot 46/38, yet we are giving them a great deal of frontage on a new town road. In addition to possibly three (3) frontage lots, one could add other roads off this proposed road; however, that is not part of this subdivision. Maybe it's good planning, but it is odd. J. Heavisides confirmed that was the location of the road on the original plan. J. Langdell said there could be further development down the road, but one would think that would be captured with the processes and regulations that we have in place today. She referenced a tract of land on Jennison Rd and the ability to create a master plan and also referenced land on Ponemah Hill Rd where the location of a new connection was identified for future development.

Chairperson Langdell opened the meeting for public input.

C. Campbell Roy said I've watched this very carefully for over twenty years now, the same way I watched the wetland after each development up there. We are only 550ft from the closest proposed lot in this subdivision and extend back to one of the lots going into conservation. We first noticed the differences up there in the summer of 2000 when they blasted for Badger Hill. The blasting area was the size of a very large quarry and shortly after that we noticed a difference in our water. This is an adult household with a well that is over 550 ft deep and after careful babying over seven years that well went totally dry. With the blasting, the communal well and with all the additional houses, Badger Hill has basically sucked us dry. Even now being a two adult household, we exercise the greatest of care with that well; we don't water and we're constantly checking everything. Not that I'm a total altruist, but in the interest of the people that might buy these homes, what are they going to do for water? Are they going to have sufficient water with everything else that has just been put in, to provide their families with decent water, especially with every well they drill and when every septic system they dig, is one on top of another? Those are just basic human values. At the same time, I have watched that land come back from being

totally devastated of wildlife including some species which are under watch. No one has ever taken a science based survey of those, so we did ask someone to come over and take a look for us. They confirmed what we already know, as I have worked for the Cooperative Extension for years as a wildlife and resource monitor and master gardener. I have species out there that are rarely seen anywhere else around this area, in addition to incredible quantities of more common wildlife. This is a major wildlife migration trail from Central Massachusetts to Northern New Hampshire. They have good intentions with the culverts, but it doesn't make much sense if you're going to throw in a 3ft culvert to have my 7ft moose wander through there. Is he going to wander through my living room sliders instead? We have taken great pains to build our house and maintain our house in as gentle a manor as possible, to the environment and the flora and fauna. It's a shame to see that go to waste. We have the most incredible population of whippoorwills, but they are under watch for endangerment and there are other species as well. The vernal pool which is about 75ft directly behind our house has enlarged since we've been there and that is due to our efforts to encourage native growth in the area. The number of wood frogs there sounds like thousands of chickens coming out of the barn in the mornings. There are homes that encircle that area and depend on that wetland to feed their aquifer and then be used by the people in the area. We also don't have any idea what will happen in Brookline where they just harvested 200-400 acres of timber last summer. If they go in and put up 50, 80, or 100 houses, what will happen to this side where we share the watershed? Also, the traffic on Osgood Rd is uncontrollable. My husband and I were driving 40 mph the other day when somebody passed us on the curve going 50 mph. I also count the number of cars that go over the edge every winter. In summation, the concerns pertain to this being a major wildlife corridor, the migration pattern, a source of water, the vernal pool, the wetlands that flow into two different watersheds and traffic on Osgood Rd.

J. Langdell said we will be getting more input from the Conservation Commission. C. Campbell Roy said that was sorely lacking and no one can find where it was even looked at by the Commission. J. Langdell said it was not lacking; this is the first hearing for the final plan and we will be involving the Commission going forward as we always do. We are not going to debate this subject at tonight's meeting. There will be test pits done for the wells and water, and they will need to prove to the State that there are sufficient resources to obtain a State subdivision permit. J. Heavisides clarified that they do test pits for septic systems and do not do testing for the individual wells on each lot. There is no municipal water available here and we are not proposing a community well.

J. Langdell closed the public portion of the hearing.

P. Amato made a motion that this application be tabled to the 12/17/13 meeting for engineering review and to address staff comments. S. Duncanson seconded and all in favor.

OLD BUSINESS

St. Joseph Hospital – Nashua St – Map 31, Lot 32; Design review of a new medical building with associated site improvements.

No abutters were present.

Chairperson Langdell recognized:
Kyle Bouchard, Meridian Land Services, Inc.
Danielle Santos, Lavallee Brensinger Architects
Bob Demers, St Joseph's Hospital
Kathy Cowette, St Joseph's Hospital
Steve Clayman, Lavallee Brensinger
Brad Westgate, Winer & Bennett
Brenner Webb, Winer & Bennett

K. Bouchard presented plans dated 11/19/13 and said we have incrementally adjusted the site plan to respond to program adjustments inside the building, as well as meetings with the neighbors and meetings with Town staff. D. Santos stated that the building has been reduced 18ft on the west side creating more of a buffer between the building and the neighboring properties. K. Bouchard said that the building footprint is smaller and the MRI turn around has also been moved away from the neighbors and we will likely be able to save more of the existing plantings. The dumpster is roughly in the same location as it is today, but in a different configuration and the enclosure will architecturally match the building. The new building will also match the existing medical office

building that it will be connected to. This Board granted a waiver for 16ft spaces along the frontage and we have taken advantage of that but we are also utilizing 18ft spaces for the patients' convenience and trying to minimize any possible conflicts with overhanging bumpers and the retaining wall. We have added some retaining walls to deal with different grading issues; there will be one along Nashua St, one will support the road along the wetland buffer on the east side of the property, one will be at the MRI pad along the back grade at the neighbor's property and depending on the final configuration of utility connections coming into the building there may be a wall to create an access into a utility room below the main level of the building. We are working through many utility issues and coordination with PSNH is ongoing. There will be a transformer pad and a placeholder for a small residential size emergency generator which will be screened and have a sound attenuating enclosure. We are working on a landscaping plan with a dense assortment of plantings along Nashua St and at various points around the property, although we have to be mindful of the types of trees and heights of plantings within the PSNH easement. Supplemental plantings will add to the existing vegetation for abutting neighbors. There is a photometric plan showing twelve (12) proposed light poles and will be done in accordance with Town requirements. The pole heights will typically be 20ft above grade of pavement but will be less along Nashua St as that grade is 4-6 ft below the elevation of the street. The configuration will be adjusted slightly for the final plans.

Part of the existing building will need to remain and provide services during construction, so we have developed an initial phasing plan. We don't have a construction manager yet and the construction sequence has not been finalized, so this is still conceptual. Phase I will include building the new access, the roadway, the retaining wall to support the road and the stormwater management facility. There will likely be utility connections made and the dumpster pad will be reconfigured. We will also demolish the parking area in front and the unused portion of the existing building which includes the barn structure and a portion of the house. The elevator in that house will remain in service for patients. These activities could affect access to Kaley Park temporarily; however, stipulation can be made with the contractor that access must be maintained at all times. The grade is not changing much, but there will be a lot of road and utility work in that area. Phase II would incorporate more utility connections, paving, creation of interim handicapped parking, construction of the new building, interim drainage connections, open the new access road and demolish the center parking area. The final phase of construction will open and occupy the new building, demolish the old building and complete the remainder of the site work for the MRI pad, Nashua St access and widening of Nashua St as well as the remaining parking, retaining walls and landscaping. The timeline will be set by the construction manager and it will take roughly 12 to 14 months.

J. Langdell inquired about the MRI pad. K. Bouchard clarified that the truck will pull in and leave the trailer parked for months. The truck will now be able to back out without going into Nashua St and affecting the traffic.

K. Bouchard reviewed the proposed renderings and D. Santos noted the differences since the last meeting.

P. Amato questioned the 4-6 ft along Nashua St. K. Bouchard explained that it will be more of a barrier between the two because the height difference between the pavement level of Nashua St and the site will fluctuate; there is a constantly changing grade level along Nashua St. The conceptuels depict several points along that line and he further described the berm, wall and landscaping elements in detail. The height and screening wouldn't change much if we went with all 16 ft spaces but it would affect the visitors and users at the site. P. Amato said you propose dropping the parking lot down, but you are within inches of the existing grade. K. Bouchard said at the east end, there is a limit to how much we can lower the entire site given the connection of the new building to the existing medical office building. This is more of the reality, scaled to 1:1 per the Board's request and the trees depicted will be full canopy trees. He then referenced the landscaping plan. P. Amato inquired about the fence at the retaining wall. K. Bouchard replied that it would be in front of the wall and there will also be three light poles right in line with the wall along Nashua St that face into the parking lot. P. Amato asked about the width of the area between the 4ft walk and the retaining wall. K. Bouchard said it is 10 ft; however, we may propose the walk to be 5ft as consideration for access and change the berm to 9ft. Every 100-200 ft of walkway, there needs to be an area for wheelchair turnaround and the plantings will still fit.

J. Langdell brought up correspondence from the NRPC dated 10/8/13 regarding considerations relative to the Nashua Elm Street Corridor Overlay District; meandering sidewalks and creating green areas between the roadway and the parking lot. If we want this berm and want this parking protected, then we are very limited in terms of what the design would be of that eventual walkway. P. Amato said the Nashua St Corridor guidelines strongly suggest that you don't have parking right out to the road. The applicant has told us that in order to make

this work in phases, the most logical place to put parking is right out by the road. I'm not sure that a 9ft berm, with the parking not lower than the road accomplishes what we would expect from our overlay district. It's a start but we should expect some consideration for that. K. Bouchard added that the images shown should be quite accurate in terms of what you would see and the parking is pretty representative of what you would see driving on the road. P. Amato said it's still a large building. D. Santos described the building sizes and said the proposed building will have an average height of 33ft above grade while the existing barn is 35ft above grade, so it is comparable in size to the barn that is on site now and it's on the same plane in terms of distance from the street. The finished floor level of the proposed building is actually 5' below the finished floor of the barn but they are approximately the same height. The intent of showing the renderings is to show that there is not a clear view across into the site; there are elements that affect the view.

J. Langdell asked if there were additional examples for improvements that could be presented relative to the parking issues. P. Amato said he was not the engineer or designer, but one of the problems is that 9 or 10 ft is not a lot of room to do a berm and landscaping for it to be an affective berm. Their parking requirements are right out to the street. D. Santos said in general our preference would not be to have parking on the street, as well. As we have explained, in order to keep the existing facility, which is pretty much occupying the streetscape now, operational throughout the construction process and because of the PSNH easements, the wetlands and the property boundaries, the box we could build in was pretty well defined by all those constraints. By driving down Nashua St and from the meetings here, we've tried to build up as much a berm as possible and if you travel eastbound further down Nashua St there is a car dealership and Giorgio's with parking in front and a landscaping buffer the may be larger than 10ft but not significantly. J. Langdell noted that those sites were outside the corridor area where it is more commercialized. D. Santos added that we really made an effort to block the view of cars in the parking area.

T. Sloan said it may not be what we envisioned, but it is miles ahead of where they were the last time before this Board. I am really encouraged by some of the ingenuity and should the site be developed and end up looking something like this, I'd be pleased and think they would be proud of their accomplishment as well as would the remainder of the community.

J. Langdell referenced staff comments regarding improving the stormwater management plan and added that was a major concern voiced by a variety of abutters. K. Bouchard explained that there is a stormwater pond near the entrance to the site and the wall came into play as a way to collect more runoff that discharges into a level spreader before it gets to the setback line for the wetlands on the far east corner of the property. The remainder of the site will be collected at a focal point, a water treatment measure, and detained on its way to outfalling on the existing pond and over to the Souhegan River. There are criteria set for the management of both the peak runoff and the volume of runoff from the site by the Town and by the State of NH and we are in full compliance with all those regulations on this site. It is a requirement of the Town that there can be no increase in volumetric runoff from this site for a ten year storm event. We are in compliance with that and as well as attenuating any peak discharges that discharges that result from this site. There is an increase of about 6/10's of an acre of impervious area across this entire site, but again that's managed in these two stormwater facilities. J. Langdell asked if these measures will improve some of the current issues such as water on the downslopes that goes back to the development of the medical office building and maybe earlier. K. Bouchard reiterated that they are meeting the stormwater requirements to manage the water on the site, before it leaves the site. The issues referenced are further off the site don't have a direct causal relationship to this site. Some may speculate that is the case but there may be other factors that we don't know about that may cause these conditions to occur and it is not something we are addressing with this plan. There is no direct way to determine the causes and therefore because we are in compliance there is no reason to think this will exacerbate any situation. P. Amato said if what the neighbors are seeing is outside the ten year storm occurrence, then they don't know how this will affect the area. K. Bouchard stated that the Town and State make us look at the 2 year, 10 year, 25 year and 50 year storm events. The requirements for each event are different, but we are meeting all. Other flooding like the Mother's Day storm in 2006 and the spring flooding in 2007 are outlying events but are also coincidentally the first springs after the medical office building was built, so I can't say what occurred. It is hard to say this would have caused that situation, given the stormwater management techniques that were designed and built; however, I do understand the concern and I did walk down that hillside, but I don't see how what we are designing will make the situation any worse.

J. Langdell also brought up the crosswalk location and design. K. Bouchard said there is an existing crosswalk that goes to the sidewalk across the street, but it would make sense to have a crosswalk connect to the ADA compliant walk in front and that is something we were anticipating. J. Langdell agreed that we need a safe way for people to cross Nashua St that will be ADA compliant on both sides.

K. Bouchard said the Nashua Street Corridor Guidelines are codified in the Zoning Ordinance and this Board has the purview to waive some of those requirements if something doesn't apply. We're bound by those requirements being in this corridor and because of the constraints of the site and the unique conditions that exist on this site, there will be some guidelines that are not applicable or which we can't comply with and so we are seeking guidance how to approach the Board with an appropriate request to address the Nashua Street Corridor Overlay District. J. Langdell suggested submitting a list of those items. P. Amato suggested that you try to work in any benefit to the town. J. Langdell said to note the mitigation and justification.

K. Bouchard mentioned the lot line adjustment between St. Joseph's and the Town. There is a process to go through the Board of Selectmen in order to do a lot line adjustment which has the effect of a consolidation to bring the two separated lots together and the timeline is unclear at this point. Discussion on that process and the land improvements followed. J. Langdell said a conditional approval could pertain to the site improvements based on a final decision by the Town of Milford relative to the exchange of land, parcels, etc. K. Bouchard clarified that if the land swap did not happen, the site could still be developed with the Town's concurrence with cross action easements and such. B. Westgate said we do have to have the Town's signature on the application as we did with the ZBA variance application and that lets us come before this Board to do this process. We don't know whether the Selectmen will want to authorize and implement the land swap or not, but they already have the authority to process land swaps and it will not have to go to Town vote. We are planning to go before the Selectmen for a public hearing soon, in a matter of weeks. No matter what happens, whether the land swap occurs or not, we have to restructure our easement arrangement. Presently we have an easement just for a small portion of the driveway near Kaley Park and the Town has easement rights generally to come into the main entrance for Kaley Park and that has to be changed no matter what. That is a Board of Selectmen act as well. The physical improvements on the site plan aren't going to change it's only a function of who owns the land underneath it and who has what easement rights. Since your goal is to approve the best possible physical site plan design, my sense was that we have a note on the final plan that indicates the present ownership of the properties and contemplates either a restructuring of the easements or the land swap with a similar commensurate restructuring of the easements. The approval isn't conditioned on the land swap, if you will; it's conditioned on one or the other occurring. We should prep a note for you to consider on the plan that contemplates both options. K. Bouchard added that neither of the parties will change, both the Town and St. Joseph's Hospital are entering into this agreement. B. Westgate said we wanted to get through the variance process first, then get this Board's guidance on some of the design steps and then go before the Selectmen for the land swap.

Chairperson Langdell opened the public hearing for comment; there being none, the public portion of the meeting was closed.

J. Langdell inquired about the bus turn out mentioned in the NRPC memo and said as we think about future transportation options, a bus stop would be beneficial. K. Bouchard said this does speak to the overlay district and we would include a rationale for the hardship of trying to provide that given the constraints of what we have along Nashua St and the widening that's being provided.

K. Bauer said when you consider the constraints that have been discussed at length I think you have carefully done a very good plan here. It's a big facility and you can't completely hide it. One of the details that I like is the way the line of sight from the street is always up over the parking, not looking down on it.

T. Sloan made a motion to close the design review hearing and request the applicant return with final application for a major site plan. S. Duncanson seconded and all in favor.

Chairperson Langdell called for a five minute recess.

OTHER BUSINESS:

Discussion regarding potential zoning changes to the land at South St, adjacent to the NH 101 bypass.

Chairperson Langdell recognized Steve Desmarais representing Salt Creek Properties, LLC and explained that there have been inquiries, suggestions and ongoing discussion pertaining to the overall benefit to the Town of Milford and Milford's Master Plan ideas about improving economic development and commercial opportunity as well as related to housing. A conceptual plan dated 11/20/13 was submitted.

P. Amato explained the potential rezoning from Residence A to the Commercial District on lot 43/20. S. Desmarais said this conceptual plan better fits the topography of the land and office buildings would be a better use than just residential. The topography drops off steeply, so the four lots on Prospect would look over the roof of any buildings there. The transition pieces of this property, include a couple of office buildings with parking on the east and west sides to transition into the commercial area on South St. We have several interested tenants and possible buyers and the buildings would be constructed in an adaptable or open concept using cubicles. P. Amato asked if there would be a buffer. S. Desmarais said if you or the abutters felt it was important then I'd be open to that. J. Langdell said she noticed the tree work being done along South St and said it's noticeable; it's right there. We're charged with taking the needs of the Town of Milford into consideration and one of those needs, identified by the Selectmen, EDAC and the Master Plan is the need to do some things to help the community's economic vitality and Mr. Desmarais has come forward with some ideas about additional business and commercial development. Again we're trying to meet your needs as well as the Town's needs; it's the bigger picture.

P. Amato said that the Board has had discussion about including lot 43/69 in the rezoning of the Hammond Rd / South St area to ICI. S. Desmarais said he didn't understand the ICI districts and would need to think about that. J. Langdell explained the districts and noted that there were limitations in the ICI District pertaining to multi-family housing and automobile sales. S. Desmarais then explained his reasoning for a condominium complex around the quarry. It is the solution to the problems with quarries and referenced the Quarry Condos. Milford quarries are a difficult thing to own because kids like to go there and I don't see how the future owners are going to police it if it's in the ICI. J. Langdell said this was thrown out as an idea because the abutting lots have residential uses. S. Desmarais said if that was the final proposal he'd want to also ask the owner of the odd shaped lot to be included in whatever changes as well because they are right on the highway. J. Langdell said the location is at our South St Gateway and its right on and visual to the bypass; there is economic benefit to doing this and that is why we are having this discussion. This is a good area to create a business framework. P. Amato suggested an office park around the quarry and discussion ensued. S. Desmarais stated that he would be open and wants to do what is best. The proposed zoning line is really based on a geographical division and the property contains Medlyn Brook, old logging roads, and ravines so there will be a lot of open space that will end up as trails, and discussion of the ownership will happen later. The entire tract yields 245 units but he envisioned doing something like the workforce housing just built in Amherst at maybe four (4) units per building. There haven't been any of those type of developments been built in a long time and they don't have a big drag on the community. Also, there are potential road and access connections on his and adjacent lots and he is in active discussion with several of the abutters, including PSNH. We are also looking at extending the sewer service from near the DPW barn along South St and putting a pump station in below Webster St. That would bring the other side of the bypass that much closer, so there is real logic for the Town to possibly create a TIF district for this area and use these building's tax money to construct additional infrastructure. J. Langdell thanked Steve for coming in and said it's good to have this idea put on the table so that we can identify what needs to be done as we move the town forward. The Board will continue this discussion at upcoming worksession.

The meeting was adjourned at 9:30pm; P. Amato made the motion and C. Beer seconded with all in favor.

MINUTES OF THE NOV 19, 2013 PLANNING BOARD PUBLIC HEARING APPROVED DECEMBER 17, 2013